

1 MELVIN R. McVAY, JR., OK Bar No. 06096  
2 SHANNON K. EMMONS, OK Bar No. 14272  
3 PHILLIPS MCFALL MCCAFFREY MCVAY & MURRAH, P.C.  
Corporate Tower / Thirteenth Floor  
101 North Robinson  
4 Oklahoma City, OK 73102  
Telephone: (405) 235-4100  
5 Facsimile: (405) 235-4133  
Email: [Mrmcvay@phillipsmcfall.com](mailto:Mrmcvay@phillipsmcfall.com)  
[Skemmons@phillipsmcfall.com](mailto:Skemmons@phillipsmcfall.com)

7 Attorneys for Defendant  
8 H. THOMAS MORAN, II, Court-Appointed  
Receiver of LYDIA CAPITAL, LLC

9  
10 UNITED STATES DISTRICT COURT OF CALIFORNIA

11 SOUTHERN DIVISION

12  
13 AXA EQUITABLE LIFE INSURANCE  
COMPANY,

14 Plaintiff,

15  
16 v.  
17 H. THOMAS MORAN, II, Court-  
Appointed Receiver of LYDIA CAPITAL,  
LLC, and DAWSON & OZANNE, as  
18 Trustee of the Alvin Fischbach Irrevocable  
Trust,  
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20 Defendants.

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22 Case No. 3:08-cv-00569-BTM (BLM)

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24 **JOINT MOTION FOR EXTENSION OF  
TIME FOR DEFENDANTS H.  
THOMAS MORAN, II, AND DAWSON  
& OZANNE TO ANSWER OR  
OTHERWISE RESPOND TO  
PLAINTIFF AXA EQUITABLE LIFE  
INSURANCE COMPANY'S  
COMPLAINT**

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26 Plaintiff AXA Equitable Life Insurance Company ("AXA Equitable") and Defendants H.  
Thomas Moran, II, Court-Appointed Receiver of Lydia Capital, LLC ("Mr. Moran") and Dawson &  
Ozanne hereby submit this Joint Motion for Extension of Time for Defendants Mr. Moran and  
Dawson & Ozanne to Answer or Otherwise Respond to Plaintiff's Complaint, and in support thereof,  
27 aver as follow:  
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- 1     1. On September 4, 2008, the parties met to discuss settlement of this matter. AXA and the  
2         Receiver have reached a tentative settlement agreement and are in the process of negotiating  
3         the terms of the settlement agreement.
- 4     2. In this light, and in order to allow the parties additional time to conclude their negotiations,  
5         AXA Equitable, Mr. Moran, and Dawson & Ozanne respectfully move this Court for an  
6         extension until September 26, 2008 for Mr. Moran and Dawson & Ozanne to answer or  
7         otherwise respond to AXA Equitable's Complaint.
- 8     3. AXA Equitable, Mr. Moran and Dawson & Ozanne have previously requested, and the Court  
9         has granted, extensions for the defendants to answer or otherwise respond to AXA  
10         Equitable's Complaint.

12                 WHEREFORE, AXA Equitable Life Insurance Company, Mr. Moran, and Dawson &  
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14 Ozanne respectfully request that the Court grant this Joint Motion for an extension until  
15 September 26, 2008 for Defendants Mr. Moran and Dawson & Ozanne to answer or otherwise  
16 respond to Plaintiff's Complaint.

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18 Dated: September 9, 2008  
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1 */s/ James A. Tabb*  
2

JAMES A. TABB (SBN 208188)  
3 McKenna Long & Aldridge LLP  
4 750 B Street, Suite 3300  
5 San Diego, CA 92101  
6 Telephone: (619) 595-5433  
Facsimile: (619) 595-5450  
E-mail: [jtabb@mckennalong.com](mailto:jtabb@mckennalong.com)

7  
8 Attorneys for Defendant  
9 DAWSON & OZANNE

10 */s/ S. Fey Epling*  
11

H. CHRISTIAN L'ORANGE (SBN 71730)  
S. FEY EPLING (SBN 190025)  
Drinker Biddle & Reath LLP  
50 Fremont Street, 20th Floor  
San Francisco, California 94105-2235  
Telephone: (415) 591-7500  
Facsimile: (415) 591-7510  
E-mail: [christian.lorange@dbr.com](mailto:christian.lorange@dbr.com)  
E-mail: [fey.epling@dbr.com](mailto:fey.epling@dbr.com)

12 Attorneys for Plaintiff  
13 AXA EQUITABLE LIFE INSURANCE  
14 COMPANY

15 *Of Counsel*

16 STEPHEN C. BAKER  
STEPHEN A. SERFASS  
JARROD D. SHAW  
DRINKER BIDDLE & REATH LLP  
One Logan Square  
18th & Cherry Streets  
Philadelphia, PA 19103-6996  
Telephone: (215) 988-2700

1 s/ Shannon K. Emmons

2 MELVIN R. McVAY, JR., OK Bar No. 06096

3 SHANNON K. EMMONS, OK Bar No. 14272

3 PHILLIPS MCFALL MCCAFFREY MCVAY &

3 MURRAH, P.C.

4 Corporate Tower / Thirteenth Floor

101 North Robinson

5 Oklahoma City, OK 73102

6 Telephone: (405) 235-4100

6 Facsimile: (405) 235-4133

7 Email: [Mrmcvay@phillipsmcfall.com](mailto:Mrmcvay@phillipsmcfall.com)

7 [Skemmons@phillipsmcfall.com](mailto:Skemmons@phillipsmcfall.com)

8 and

9 RICHARD MAX VALDEZ

10 Sandler Lasry Laube Byer and Valdez

11 402 West Broadway

11 Suite 1700

12 San Diego, CA 92101

12 Telephone: (619) 235-5655

13 Facsimile: (619) 235-5648

14 Attorneys for Defendant

15 H. THOMAS MORAN II, Court-

15 Appointed Receiver for Lydia Capital, LLC

17 I, Shannon Emmons, am the ECF User whose identification and password are being used to file this  
18 Joint Motion for Extension of Time. In compliance with Electronic Case Filing Administrative  
19 Policies and Procedures Manual Section 2, f. 4., I hereby attest that S. Fey Epling and James A. Tabb  
have concurred in this filing.

20 September 9, 2008

22 s/ Shannon K. Emmons

22 [skemmons@phillipsmcfall.com](mailto:skemmons@phillipsmcfall.com)

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